

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

NOTICE OF PROPOSED MODIFICATION OF VEOLIA'S TITLE V PERMIT

This notice is to inform the public that the U.S. Environmental Protection Agency is reopening a Clean Air Act Title V operating permit for Veolia ES Technical Solutions, L.L.C. (Veolia), located at 7 Mobile Avenue, Sauget, St. Clair County, Illinois, to add feedrate limits for certain heavy metals. The heavy metals include mercury, semi-volatile metals (cadmium and lead), and low volatile metals (arsenic, beryllium, and chromium).

A. Facility Description

Veolia owns and operates a hazardous waste incinerator in Sauget, St. Clair County, Illinois. Veolia's Sauget facility is a treatment, storage and disposal facility, which accepts offsite waste for disposal through incineration. Veolia receives containers and bulk shipments of hazardous and solid wastes, transfers them to temporary storage facilities, processes them, and incinerates them in one of three combustion units. The facility includes two fixed-hearth, dual chamber, multi-type feed incinerators (Incinerators 2 and 3), each rated at 16 million British thermal units per hour (mmBtu/hr), and one rotary kiln incinerator (Incinerator 4), rated at 50 mmBtu/hr. Incinerators 2 and 3 each use spray dry absorbers with lime slurry injection to control hydrogen chloride emissions and baghouses for particulate matter. Incinerator 4 uses a spray dry absorber for hydrogen chloride control, an activated carbon injection system for mercury control, and a baghouse for particulate matter control.

Veolia's Sauget facility is located just east of St. Louis, Missouri, in an area with potential environmental justice concerns.

B. Proposed Actions

EPA has determined that Veolia's current Title V permit does not assure compliance with the standards at 40 C.F.R. § 63.1219. Therefore, EPA is reopening Veolia's permit pursuant to 40 C.F.R. § 71.7(f)(iv) to 1) incorporate feedrate limits that EPA considers to be supported by the available test data, and 2) supplement monitoring requirements, as necessary, to assure compliance with the proposed feedrate limits. Thus, EPA is making available for public comment a draft significant modification to Title V Permit No. V-IL-1716300103-08-01 (draft permit). The draft permit is subject to a minimum 30-day public comment period as required by 40 C.F.R. §§ 71.7(f) and 71.11(d).

As required by 40 C.F.R. § 71.11(b), EPA has provided the reasons supporting our proposed actions in a statement of basis which is available as part of the administrative record for this action.

C. Request for Public Comment

EPA requests public comment on our proposal to reopen and modify Veolia's Title V permit. The public comment period for EPA's draft permit ends **March 15, 2013**. Only portions of the

permit that are being changed because of the proposed action are open for comment during the comment period. Members of the public may review the administrative record for the modifications contained in the draft permit, including copies of the draft permit prepared by EPA, the statement of basis for the draft permit, the application, and all data and supporting materials submitted by the applicant at the following locations:

- (1) www.regulations.gov docket ID EPA-R05-OAR-2012-0649;
- (2) www.epa.gov/region5/newsevents/ and look in the “public comment” section;
- (3) Central Library, 1301 Olive St., St. Louis, MO 63101;
- (4) East St Louis Library, 5300 State St., East St. Louis, IL 62203;
- (5) Cahokia Public Library, 140 Cahokia Park Drive, East St. Louis, IL 62206; and
- (6) EPA Region 5, 77 West Jackson Boulevard, 18th floor, Chicago, Illinois 60604, by contacting David Ogulei at (312) 353-0987 or ogulei.david@epa.gov. All documents will be available for review at the EPA Region 5 office in Chicago Monday through Friday from 8:15 AM until 4:45 PM (excluding federal holidays).

Pursuant to 40 C.F.R. §71.11(f), EPA is holding a **Public Hearing on February 19, 2013** at the Distance Learning Lab, Room 2083, in Building B of the Southern Illinois University Edwardsville – East St. Louis Higher Education Campus, 601 James R. Thompson Blvd., East St. Louis, Illinois 62201 from 3:00 PM to 7:00 PM. The public hearing will provide interested parties the opportunity to present data, views, or arguments concerning the proposed action. The EPA may ask clarifying questions during the oral presentations, but will not respond to the presentations at that time. The EPA will consider written statements and supporting information submitted during the comment period with the same weight as any oral comments and supporting information presented at the public hearing. Supporting materials submitted with written comments must be included in full and may not be incorporated by reference unless they are already part of the administrative record, or consist of state or federal statutes or regulations, EPA documents of general applicability, or other generally available reference materials.

If you would like to provide oral testimony at the hearing, you must register your name on the sign-in sheet that will be available at the hearing venue on the date of the hearing. You will be called to testify on a first-come-first-serve basis. Oral testimony will generally be limited to five to ten minutes, depending on the number of speakers, for each commenter to address the draft permit. EPA will not provide equipment for commenters to show overhead slides or make computerized slide presentations. Commenters should notify Andrea Morgan at morgan.andrea@epa.gov, or fax: (312) 692-2920, **by February 5, 2013**, if they need specific translation services for non-English speaking commenters.

The EPA encourages commenters to provide written versions of their oral testimonies either electronically or on computer disk or CD ROM or in paper copy. Written comments and requests to receive notices of any future actions may be submitted to EPA by **March 15, 2013**, using one of the following methods: (1) www.regulations.gov: Docket ID No. EPA-R05-OAR-2012-0649; (2) <http://www.epa.gov/region5/publicnotices/veolia.htm>; (3) *E-mail*: mooney.john@epa.gov; (4) *Fax*: (312) 692-2551; or, (5) *Mail*: George Czerniak, Director, Air and Radiation Division (A-18J), at the above EPA address. All written comments should include: the reason for interest in the draft permit, requested actions for EPA to take, and the justification for such actions. All comments should include sufficient specificity and regulatory references to allow EPA to investigate the merits of the position. All comments will be included

in the public docket without change and may be made available to the public, including any personal information provided, unless the comment includes Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Information that you consider CBI or otherwise protected should be clearly identified as such and should not be submitted through e-mail. If you send e-mail directly to EPA, your e-mail address will be captured automatically and included as part of the public comment.

D. Final Decision

After EPA has considered all relevant comments received prior to the end of the public comment period and all comments made during the public hearing, EPA will decide whether or not to proceed with the adoption of EPA's proposed feedrate limits and monitoring requirements.

If EPA decides to adopt the proposed feedrate limits and monitoring requirements, the final permit will become effective 30 days after the service of notice of the decision, pursuant to 40 C.F.R. § 71.11(i)(2), unless (i) a later effective date is specified in the decision; (ii) review is requested under 40 C.F.R. § 71.11(l) (in which case the specific terms and conditions of the permit which are the subject of the request for review shall be stayed); or (iii) no comments requested a change in the draft permit, in which case the permit shall become effective immediately upon issuance.

The final permit is a public record that can be obtained upon request. A statement of reasons for changes made to the draft permit and responses to comments received will be sent to all persons who commented on the draft permit. Please note that an e-mail or postal address must be provided with your comments if you wish to receive direct notification of EPA's final decision regarding the permit and its responses to comments submitted during the public comment period. If you believe any condition of the draft permit is inappropriate or that our initial decision to prepare the draft permit is inappropriate, you must raise all reasonably ascertainable issues and submit all reasonably ascertainable arguments supporting your position by the end of the comment period.

E. Appeal Procedures

Within 30 days after a final permit decision has been issued, any person who filed comments or participated in the public hearing may petition the Environmental Appeals Board to review any condition of the permit decision, in accordance with 40 C.F.R. § 71.11(l). Appeals should be filed with the Hearing Clerk at the following address:

Environmental Appeals Board
MC 1103B
U.S. Environmental Protection Agency
401 M Street, SW
Washington, DC 20460